

**COUNCIL**  
**10 NOVEMBER 2016****REPORT OF CABINET****(b) SUMMARY OF DECISIONS TAKEN**

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**Equality in Schools - Notice of Motion**

1. In July 2016 the Council referred the following motion to the Cabinet for determination:

*"That Worcestershire County Council should take part in the Stonewall Education Equality Index and should encourage schools to take part in the Stonewall Schools Champions Programme or to use the Birmingham LGBT schools tool kit."*

2. There was general support for the thrust of the Motion, whilst noting that the Council's approach to supporting and influencing local schools had evolved over time, with schools now having greater autonomy and individual accountability. The Council's role was to encourage schools rather than instruct and an amendment was considered appropriate. The Council frequently liaises with schools to ensure they are sufficiently aware of issues such as those raised by Stonewall and to make schools aware of how they may access resources and training.

3. The Cabinet formally agreed that the Council should encourage schools to take part in the Stonewall Schools Champions Programme or to use the Birmingham University-developed LGBT schools tool kit to help schools meet their own Equalities and Ofsted requirements.

**Council Policy on responding to Change of Age Range Requests from Community Maintained Schools or Change of Age Range Consultations from other types of School**

4. When it came to making "prescribed alterations" in the form of certain changes of age-range at a maintained school, new statutory guidance now confirms that if the school in question is a community school, the responsibility for actually making the proposal, going through the statutory process and making the final decision, rests with the Council. The Council, since the revised guidance was published, received a number of communications regarding age range changes. The community schools request that the Council propose the change, whereas the other types of school (including Academy schools) should consult with the Council on the proposed change.

5. To ensure the Council makes consistent responses to schools proposing such changes, the Cabinet has endorsed a policy which clarifies how the school will meet criteria set by the Council in order to secure support for a change of age range. The policy will be used as guidance but the individual situation of the particular school will be taken into account.

6. In terms of the governance arrangements for statutory proposals to be decided by the Council the decision on pre-consultation will rest with the Director of Children, Families and Communities, in consultation with the Cabinet Member with Responsibility for Children and Families. The Cabinet will determine the request to publish the full proposal and public notice. Where no objections to the public notice are received, the Director is authorised to approve proposals. Where there are objections, the Cabinet Member with Responsibility is authorised to decide the proposals. (This decision route will also apply to non-statutory processes requiring a Council decision.) The Director will also be authorised, in consultation with the Cabinet Member with Responsibility, to respond to consultations and informal enquiries.

### **West Midlands Rail Devolution**

7. Further to the report to Council in January 2016, the Cabinet has considered proposed governance arrangements for the development and oversight of the West Midlands Rail franchise through West Midlands Rail Limited (WMRL) and the appointment of directors to the Board of WMRL. West Midlands Rail partner authorities have been developing a proposal for increasing local involvement and influence over the local rail services for approximately two and a half years. Having a targeted, locally accountable rail services contract with proper incentives on the operator, WMR will be able to specify and manage rail services more effectively than the current national arrangements. This will provide a number of benefits.

8. WMRL now wish to enter into a formal partnership agreement with the Department of Transport (DoT) which will set out its rights and obligations in relation to the award of the franchise and related matters. The Partnership Agreement requires approval by a 75% vote of WMRL's members and will be subject to a further report to Cabinet. A draft of the Agreement had been prepared and the Cabinet has considered the implications for the Council of WMR entering the Agreement with the DoT. The purpose of the Partnership Agreement is to facilitate devolution of rail services in the West Midlands from the DoT to WMR in order to secure services and environmental and economic benefits for the region.

9. The Partnership Agreement reflects what is set out in the business case for rail devolution and it was considered that it did not expose the Council to unacceptable risks beyond the current financial contribution of £5,000 per year once the Agreement was in place. The Cabinet has therefore agreed that WMR should enter a Partnership Agreement with DoT and delegated authority to the Director of Economy and Infrastructure, in consultation with the Director of Commercial and Change, to finalise the details of the Agreement.

### **Worcestershire Local Aggregates Assessment**

10. The National Planning Policy Framework (NPPF) requires Mineral Planning Authorities (which is Worcestershire County Council for the Worcestershire area) to plan for a steady and adequate supply of aggregates by preparing a Local Aggregate Assessment (LAA). The Council is also preparing a new Mineral Local Plan (MLP) for the county which will set out planning policies to guide mineral working and site restoration in the county. The LAA will inform the development of the MLP and will be critical to monitoring success once the MLP is adopted. It is also a material consideration in the determination of planning applications. The LAA is required to be

updated annually.

11. The Worcestershire LAA 2016 has been developed in accordance with latest guidance taking into account consultation comments received on previous versions and the comments of the West Midlands Aggregate Working Party. The Cabinet has therefore approved the annual Worcestershire LAA to facilitate planning for a steady and adequate supply of aggregates and the preparation of updates of the LAA on an annual basis in accordance with extant guidance and having regard to the advice of the West Midlands Aggregate Working Party. It has also delegated authority to the Cabinet Member with Responsibility for Economy, Skills and Infrastructure to agree and adopt the LAA annually.

### **Winter Service Policy 2016**

12. National guidance recommends that highway authorities periodically review and update their Winter Service Policy. The Cabinet Member with Responsibility emphasised that the gritting service and routes covered were not being reduced in the new Policy – it was an update. The last revision of the Council's policy was in 2009. The revision takes into account changes that have taken place in guidance and practice since 2009 and embeds the move away from a prescriptive to a locally determined risk-based approach to service provision. The operational detail of the Policy is contained within the subsidiary Winter Service Operational Plan which is reviewed and updated annually. The objective remains unchanged in that a network of treated routes should be reasonably accessible for the majority of residents and businesses, supplemented by targeted provision of self-help facilities.

13. The Cabinet has approved the Winter Service Policy 2016. The Policy will help to set out a transparent procedure to ensure consistency in approach and expectations which will assist in dealing with any third party claims and actions brought in connection with winter service.

### **Resources Report**

#### **(a) Revenue Budget Monitoring 2016/17 - Outturn Forecast as at 31 August 2016**

14. An overall financial pressure of £0.7m was anticipated. This represents 0.2% when compared with the Council's revenue budget. The most significant forecast pressure related to older people residential and nursing placements of around £1.5m. There were a number of smaller areas of cost pressures across the Council's budgets which were being closely managed. It was anticipated that forecast costs would be kept within the budget by the end of the financial year.

#### **(b) FutureFit Programme Update**

15. The FutureFit savings programme target for 2016/17 totals £27.2m and is forecast to be achieved. Whilst 60% of the programme for this financial year has been delivered or is on track, risks to the delivery of the remainder of the programme continue to be monitored. Where savings are not being achieved during the current financial year, Directorates are mitigating this by restraining costs in other areas or drawing support from their own earmarked reserves.

**(c) Capital Programme Budget Monitoring - 2016/17 Forecast**

16. The timing of capital expenditure over the current and future years has been reviewed and a revised profile produced which takes account of the roll forward of capital schemes from the last financial year and the impact that has on the current years profiles expenditure and estimate for future years. The revised capital budget for 2016/17 totals £153m. The actual capital spend as at 31 August 2016 was £42m (27% of the budget) as expected with no significant issues arising.

**(d) 100% Business Rates Retention - Consultation**

17. Currently the County Council retains a 50% local share of business rates income. This is worth around £60m per year and represents around 18% of the Council's total funding in the current financial year. Central Government proposes that by the end of the current Parliament, local government will keep 100% of the income raised through business rates and will take on new responsibilities to be funded from this additional income as central Government grants are phased out. The Cabinet has noted the Council's response to the consultation on these proposals which will enhance the Council's ambition to be self-sufficient and is seen as an opportunity for the Council to shape a greater number of services that contribute to economic development both across Worcestershire and nationally.

**(e) Fair Funding Review: Call for Evidence on Needs and Redistribution - Discussion Paper**

18. The Council has responded to a discussion paper which begins a process of review of relative needs, which is a fundamental part of the design of the new Business Rates Retention System referred to above. The Council has emphasised the principle of fairness where funding is allocated according to local needs based on the factors that drive current and future service costs and that transitional arrangements are in place to ensure stability and to allow local authorities adequate time to reshape services in consultation with local residents.

**(f) Annual Statutory Financial Statements 2015/16**

19. The Audit and Governance Committee approved the Statutory Accounts in July 2016. The External Auditor, Grant Thornton UK LLP provided an unqualified opinion on the County Council and Worcestershire Pension Fund's annual accounts.

**Mr S E Geraghty**  
**Chairman**

**Contact Points**

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**Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meetings of the Cabinet held on 29 September 2016 and 13 October 2016.